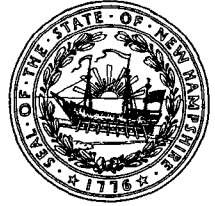




State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



LETTER OF DEFICIENCY
WET 2004-68

October 12, 2004

Robert C Brown
103 Shore Rd
Gilford, NH 03249

RE: DES Wetlands File #2000-02541 103 Shore Rd, Gilford

Dear Mr. Brown

On July 20, 2004, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, identified as Gilford Tax Map 221, Lot 048 (the "Property"). The purpose of this site inspection was to determine compliance with RSA 483-B, The Comprehensive Shoreland Protection Act, RSA 482-A, and The New Hampshire Code of Administrative Rules 100-800. During the inspection the following deficiencies were noted:

1. A non-conforming patio was installed extending 18' from the home toward the reference line (8' from normal high water mark).
2. The southwesterly pier measures 53'3" from the normal high water mark.
3. A copy of the recorded Permit has not been submitted to DES.

In response, you are requested to take the following actions:

1. Submit a copy of the recorded Permit within 30 days of receipt of this letter.
2. By May 31, 2005, remove a portion of the non-conforming patio so that it extends no more than 12' from the house, as in accordance with The Comprehensive Shoreland Protection Act RSA 483-B:11 (enclosed) and plant non-invasive native species within the disturbed areas to prevent erosion.
3. By May 31, 2005, reduce the southwesterly pier length so that it is no longer than 50' from the normal high water mark.
4. Submit dated photographic documentation when conforming alterations are completed.

RSA 483-B, the New Hampshire Comprehensive Shoreland Protection Act, was enacted to protect and preserve the shorelands of the State to maintain the integrity and exceptional quality of the State's public waters. RSA 483-B and Env-Ws 1400-1409 establish minimum standards for the future subdivision, use, and development of the shorelands within 250 feet of the state's public waters.

RSA 482-A, the New Hampshire Wetlands Law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 483-B will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Darlene Forst, Shoreland Program Supervisor
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Darlene Forst at (603) 271-2147.

Sincerely,

~~COPY~~

Darlene Forst
Shoreland Program Supervisor
Wetlands Bureau

CERTIFIED MAIL 7002 3150 0001 5411 0466

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit ✓
Gilford Conservation Commission
Gilford Board of Selectmen
US Army Corps of Engineers